

Appln. No. 10/030,303

Attorney Docket No. 10541-927

II. Remarks

Claims 18-43 are pending in the application. Claims 1-17 have been cancelled. Claim 18 has been amended. No new claims have been added.

Claim Objections

Claim 18 was objected to because of an informality. In line 16, "the" has been inserted before "pivotable member."

Rejections Under 35 USC § 112

Claims 18-30 were rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In order to provide proper antecedent basis, claim 18 has been amended to replace the phrase "the first to the second configuration" with the phrase: "a first to a second configuration." Claims 19-30 depend from claim 18 and therefore are definite for the same reasons as given above in support of claim 18.

Rejections Under 35 USC § 103

Claims 11-26, 29-39 and 42-43 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 4,243,456 issued to Cesano (Cesano) and further in view of U.S. Patent No. 4,991,478 issued to Riley (Riley) and further in view of Japanese Patent No. 63-199628 issued to Kasai Kogyo Co. (Kasai).

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The Examiner states that it would have been obvious to one having ordinary skill in the art at the time the invention was made to position the cutting tool between the cladding and the support material by mounting the cutting tool on a pivotable member as disclosed in Cesano, in light of the teachings of Riley, since a translational cutting tool and articulated cutting tool are equivalent means.

A careful reading of Cesano, Riley and Kasai reveals that a cutting tool mounted to a pivotable member to position a cutting edge between the cladding and the support material is not disclosed. In Cesano, the cutting tool 141, and the shearing edge 121 are not positioned between the cladding 111 and the support material 101. What is placed between the cladding 111 and the support material 101 is a member 15 having an inner edge 151 and a surface portion 152. The cladding 111 rests on the surface portion 152 while the inner edge 151 serves to separate the cladding 111 from the support material 101 not cut the cladding. The cutting of the cladding 111 and the support material 101 is performed by the cutting member 141 and the shearing surface 121, respectively, neither of which is positioned between the cladding 111 and the support material 101. Independent claims 18 and 31 specifically claim positioning the cutting tool between the cladding and the support material.

In that Cesano in view of Riley and further in view of Kasai fail to disclose or suggest a cutting tool positioned between the cladding and the support material, it must be concluded that the combination of Cesano, Riley and Kasai cannot render the claims of the present invention obvious. Therefore, the rejection under §103 is improper and should be withdrawn.

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Claims 19-30 and 32-43 are dependent on either claims 18 or 30, and are therefore allowable for at least the same reasons as given above in support of claims 18 and 30.

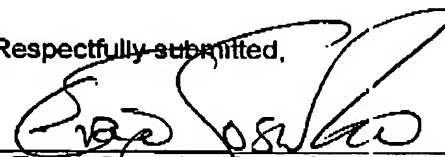
SUMMARY

Pending Claims 18-43 as amended are patentable. Applicants respectfully request the Examiner grant early allowance of these claims. The Examiner is invited to contact the undersigned attorneys for the Applicants via telephone if such communication would expedite this application.

August 10, 2005

Date

Respectfully submitted,



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